

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**SUN LIFE ASSURANCE  
COMPANY OF CANADA,**

**Plaintiff,**

**v.**

**No. 18-cv-1028 KRS/SMV**

**KAYLYN MOORE and  
CAROL GOODGION,**

**Defendants.**

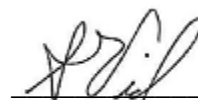
**ORDER TO SHOW CAUSE**

THIS MATTER is before the Court sua sponte. Plaintiff filed its Interpleader Complaint on November 5, 2018. [Doc. 1]. Plaintiff had 90 days from filing the Interpleader Complaint, or until February 4, 2019, to effect service of process. Fed. R. Civ. P. 4(m). To date, however, there is no indication on the record that service of process has been effected with respect to either Defendant. Moreover, Plaintiff's pending Motion to Deposit Funds [Doc. 3] cannot be granted without "notice to every other party," Fed. R. Civ. P. 67(a), and there is no evidence on the record that either Defendant has received notice of the Motion.

**IT IS THEREFORE ORDERED** that Plaintiff show good cause why its Interpleader Complaint should not be dismissed without prejudice for failure to comply with the service provision of Rule 4(m). *See Espinoza v. United States*, 52 F.3d 838, 841 (10th Cir. 1995).

Plaintiff must file its response no later than **March 5, 2019**.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**